

George Frederick Delaney #374390
Powhatan Correctional Center
3600 Woods Way
State Farm, VA. 23160

April 9, 2009

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

APR 13 2009

JOHN F. BORCOWAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES DISTRICT COURT

OFFICE OF THE Clerk

P.O. Box 1234
Roanoke, Virginia 24006

RE: George Frederick Delaney V. Dr. Robert Marsh, M.D. / Carolyn
Madam, RUCB / Daniel A. Braxton, Warden / Fred Schillings,
Director of Health Services / Civil Action NO. 7:08-CV-00465

Dear Clerk,

Enclosed for filing please find plaintiff Amendments
to the above-styled action. The following names and Addresses
are Amendments to the above-styled action in pursuant to
Rule 15(a) of the Federal Rules of Civil Procedure.

Defendants

1. (a) Ct. Corporation Systems/
(Prison Health Services)
Name

(b.) agents for
Prison Health Services
Job Description

(C) 4701 COX Road
Suite 301
Glenn Allen, Va. 23060

2.(a) Gene Johnson(b) Director of the Department of Corrections(C) P.O. Box 26963
Richmond, Va. 23261

1. Defendant(s) Cti. Corporation System / (Prison Health Services), is located in the State of Virginia and was at the time of Cause of action. Defendant, Cti. Corporation system is the registered Agent of Prison Health Services. Cti. Corporation system / Prison Health Services is the employer of Defendants, Dr. Robert Marsh, M.D. and Carolyn MacLam, R.N.C.B. of Augusta Correctional Center located in the State of Virginia. Defendant(s), Cti. Corporation System / Prison Health Service, is responsible for overseeing the Augusta Correctional Centers, Dr. Robert Marsh, M.D. and Carolyn MacLam, R.N.C.B. and ensuring that the policies and practices of Prison Health Services are followed by their employees when providing medical Treatment for inmates of the Augusta Correctional Center within the State of Virginia. Defendant(s), Cti. Corporation systems / Prison Health Services, agent is sued herein individually and in its official Capacity.
2. Defendant, ~~Gene~~ Gene Johnson, Director of the Virginia Department of Corrections is a resident of the State of Virginia and was at the time of Cause of Action. Defendant, Gene Johnson is responsible for overseeing the Virginia Department of Correctional Facilities in the Western District of Virginia operating procedures and their employees. Defendant, Gene Johnson Director of the Virginia Department of Corrections is sued herein individually and in his official Capacity.

Facts

1. Cti Corporation Systems is the registered agent for Prison Health Services agency in which Dr. Robert Marsh, M.D and Carolyn Macdon, RNCB are employees.

Cti Corporation Systems / Prison Health Services was aware that Dr. Robert Marsh, M.D refused to ~~for~~ order the plaintiffs medical necessary diet recommended by ~~the~~ the Medical College of Virginia in the year of 2003, approved by the Department of Corrections Chief physician soon after in the year of 2003, and again recommended by the Medical College of Virginia on January 2, 2008, and approved by the Department of Corrections Chief physician on January 4, 2008.

Defendant(s) knowing that it was against their policies and practices for Defendant(s) Dr Robert Marsh, M.D to refuse to order Plaintiff's medical necessary diet, and to later Delete parts of his recommended & approved diet prior to ordering diet from the facilities Food Service Department, (Augusta Correctional Center) and for Carolyn Macdon, RNCB to delete parts of plaintiff's medical necessary diet prior to ordering it from the facilities Food Service Department, (Augusta Correctional Center) fail to correct their wrong doings.

As a result of defendant(s), Cti Corporation Systems / Prison Health Services actions Plaintiff was hospitalized for a small bowel obstruction at the Medical College of Virginia for approx. 12 days & in the Augusta Correctional Facilities infirmary for an additional 8 days. In addition Plaintiff later experienced the exact same complications he had prior to being hospitalized due to consuming the wrong diet.

2. Defendant, Gene Johnson, is an employee for the Virginia Department of Corrections.

Defendant, Gene Johnson was aware that Defendant, Daniel A. Braxton, warden refused to ensure that the Department Operating Procedures of Augusta Correctional Centers Medical Department ~~is~~ was not being followed thereby, causing plaintiff to be hospitalized after being refused a medical necessary diet recommended by the Medical College of Virginia, and approved by the Department of Corrections Chief Physician.

Defendant, Gene Johnson failed to correct the wrongdoings of Defendant, Daniel A. Braxton, Warden of the Augusta Correctional Center overseeing the facilities Medical Department.

As a result of Defendant, Gene Johnson, actions, Plaintiff was hospitalized after being refused a medical necessary diet and later experienced the exact same complications after being released from the Hospital and again being refused a medical necessary diet recommended by the Medical College of Virginia, and approved by the Department of Corrections Chief physician.

The president of prison Health Services is unknown,

The representative's name of Ct. Cooperation System is unknown.

Signature

Signed this 9th day of April 2009.

Plaintiff George Frederick Delany #374390

CERTIFICATE OF SERVICE

I HEREBY certify that 1 copy of the Foregoing Amended Complaint under Civil Rights Act 42 U.S.C 1983 was mailed to: The United States District Court, Clerks office for the Western District of Virginia, P.O. Box 1234, Roanoke Virginia 24006 on this 9th day of April 2009,

George Fredrick O'Leary
#374390
Plaintiff

cc: File



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George Frederick Delany #37439D
Powhatan Correctional Center
3600 Woods Way
State Farm VA 23160

Legal Mail

United States District Court
Office of the Clerk

P.O. Box 1234

Roanoke, Virginia 24006

